

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Parts 2 and 25 of the Commission's Rules to)	RM-11839
Enable Primary Fixed-Satellite Service (Space-to-Earth))	
Operations in the 17.3-17.7 GHz Band)	

REPLY OF SES AMERICOM, INC.

Based on the record before it regarding the above-captioned SES Americom, Inc. (“SES”) petition,¹ the Commission should expeditiously initiate a rulemaking to authorize fixed-satellite service (“FSS”) operations in the space-to-Earth direction using the 17.3-17.7 GHz frequencies (“17 GHz band”) on a protected basis. As the SES Petition makes clear, the requested regulatory changes would enhance efficient use of the 17 GHz band by providing much-needed additional spectrum for FSS operations that are fully compatible with current uses of these frequencies. No party opposes the SES Petition or presents any substantial obstacles to the rule revisions sought by SES to promote robust, flexible satellite use of spectrum.

The comments of Telesat Canada (“Telesat”) wholeheartedly endorse the SES Petition’s proposals.² Telesat agrees with SES that lack of sufficient FSS spectrum for gateway operations is a significant concern and reinforces SES’s showing that the “17 GHz band is well-suited to supplement the frequency capacity available for this purpose, both in terms of its functionality for FSS operators in the Ka-band, including Telesat and SES, and the compatibility of their use

¹ Petition for Rulemaking of SES Americom, Inc., RM-11839, filed Mar. 5, 2019 (the “SES Petition”).

² Comments of Telesat Canada, RM-11839, filed May 31, 2019 (“Telesat Comments”).

with other authorized uses of the band.”³ In addition, Telesat highlights an ongoing proceeding in Canada that is exploring regulatory changes to permit FSS downlinks in the 17 GHz band and argues that having the United States and Canada take a common approach would serve the public interest, given the cross-border nature of satellite operations.⁴

In its comments, AT&T presents a laundry list of issues that it claims should be addressed in any rulemaking on 17 GHz FSS use,⁵ but none of these represents an impediment to the relief sought in the SES Petition. Instead, the rule changes SES has proposed are fully consistent with the goals AT&T has identified: preventing harm and protecting incumbent users,⁶ and many of the concerns raised by AT&T are explicitly addressed in the SES Petition. In particular, SES has shown that use of the 17 GHz band for FSS downlinks will be less constraining on direct broadcast satellite (“DBS”) networks than the currently permitted downlink operations by 17/24 GHz broadcast satellite service (“BSS”) systems.⁷

AT&T’s suggestion that authorizing FSS downlinks in the 17 GHz band could limit future modifications of BSS networks⁸ is highly speculative, and the concrete public interest benefits of promoting more intensive spectrum use clearly outweigh any theoretical possibility that BSS operators might ultimately face some limitations on their ability to make system changes. Moreover, contrary to AT&T’s suggestion, there is no need for the Commission to

³ *Id.* at 2.

⁴ *Id.* at 3 & nn.5-7.

⁵ AT&T Services, Inc. Response to Petition for Rulemaking, RM-11839, filed May 31, 2019 (“AT&T Comments”).

⁶ *Id.* at 2.

⁷ SES Petition at 6-7.

⁸ AT&T Comments at 3.

address the 24.75-25.25 GHz frequencies in the rulemaking – as AT&T acknowledges, the Commission has already made that band available for FSS use,⁹ so no further changes are required with respect to the regulatory classification of those frequencies. The SES Petition expressly addresses proximity of new applicants to existing U.S. BSS space stations,¹⁰ and AT&T does not identify any issues with relying on current Commission regulations to manage space path interference issues, as SES proposes.¹¹ AT&T's reference to use of the 17 GHz band by nongeostationary orbit satellites is a red herring,¹² as the rule changes set forth in the SES Petition make clear that SES is seeking authority only for geostationary orbit satellites to use the 17 GHz band for downlinks.¹³

Finally, the Commission should reject AT&T's suggestion that it prejudge at the Notice of Proposed Rulemaking ("NPRM") stage whether 17 GHz FSS downlinks can be used to communicate with user terminals, including earth stations in motion.¹⁴ Instead, the NPRM should invite comment on the range of services that can effectively be provided by FSS spacecraft in the 17 GHz band consistent with reasonable requirements for protection of DBS and BSS operations.

⁹ *Id.*

¹⁰ SES Petition at 6.

¹¹ AT&T Comments at 3.

¹² *Id.* at 4.

¹³ SES Petition, Rule Appendix at 1-2.

¹⁴ AT&T Comments at 4.

For the foregoing reasons and those set forth in the SES Petition, the Commission should promptly issue an NPRM to allow flexible use of the 17 GHz band for FSS downlinks on a protected basis.

Respectfully submitted,

SES Americom, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of June, 2019, I caused a true and correct copy of the foregoing "Reply of SES Americom, Inc." to be sent by first class mail, postage prepaid, to the following:

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